

**United States District Court
District of Nebraska**

Edward H. Kountze, in his Capacity as Trustee, and on Behalf of the Gilbert M. and Martha H. Hitchcock Foundation, a Nebraska Nonprofit Corporation, Plaintiff,	Case No. 8:07cv15 Judge Bataillon Mag. Judge Thalken
v.	Order Sustaining Plaintiff's Voluntary Dismissal of Edward Hotz, and Hotz, Weaver, Flood, Breitkrentz & Grant Law Firm With Prejudice
Tyler B. Gaines, Neely Kountze, Mary Kountze, John Webster, John Does 1 -3, and Thomas R. Burke, and, Hotz Weaver Flood Breitkrentz & Grant, Defendants, And Gilbert M. and Martha H. Hitchcock Foundation, a Nebraska Nonprofit Corporation, Defendants.	

On March 1, 2007, Plaintiff filed a Voluntary Dismissal dismissing, voluntarily, Defendants Edward Hotz and the Hotz, Weaver, Flood, Breitkrentz & Grant Law Firm.

The Court FINDS and ORDERS:

1. Defendants Edward Hotz and the Hotz, Weaver, Flood, Breitkrentz & Grant Law Firm are dismissed with prejudice. Such dismissal is

without prejudice to any of Plaintiff's claims against other Defendants who remain in the litigation.

2. The Motion to Dismiss (Filing No. 15) filed by Defendants Hotz, Weaver, Flood, Breikrentz & Grant is granted.

Dated this 23rd day of March, 2007.

s/ Joseph F. Bataillon
Hon. Joseph F. Bataillon